Attorney Docket No. 2206.0021C

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Günther Klenner

Serial No.:

09/822,217

Examiner:

Unknown

Confirmation No.: 9850

Art Unit:

2631

Filed:

April 2, 2001

For:

Method and Apparatus for Measuring Bit Error Rates in Digital Communication

**Systems** 

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

Pursuant to the duty imposed by 37 C.F.R. §1.56 to disclose information which may be material to the patentability of the above-identified patent application, the Applicant(s) would like to direct the Examiner's attention to the documents listed on the enclosed Information Disclosure Citation Form (PTO/SB/08). In accordance with this duty of disclosure, Applicant(s) hereby submits the following information in conformance with 37 C.F.R. §§1.97 and 1.98.

$\boxtimes$	Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
	The subject Information Disclosure Statement is being filed without copies of the listed U.S. Patents and/or U.S. patent application publications pursuant to the waiver of the requirement under 37 C.F.R. §1.98(a)(2)(i) for applications filed after June 30, 2003. Copies of the listed foreign patent documents and/or non-patent literature are enclosed herewith.
	No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No to which the above-identified application claims priority under 35 U.S.C. §120.

		in a fo	ration(s) listed on the attached Form PTO/SB/08A were cited reign search or examination report corresponding to ation serial no and mailed on				
		§609 c	sed is a copy of a non-English publication(s) Pursuant to of the M.P.E.P., Applicant submits the attached foreign search or nation report, which cites such non-English language publication(s).				
		langua	sed is a copy of a non-English publication(s) English ge publication (copy enclosed) claims priority from this non-h publication.				
	Enclosed is an explanation of non-English publication(s) for an English translation is not available.						
		Enclosed is an English translation of non-English publication(s)cited in the attached Form PTO/SB/08A.					
		Enclos	ed is a copy of pending patent Application Serial No				
time pe	This In criods:	format	ion Disclosure Statement is filed within any one of the following				
			within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);				
			within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;				
		$\boxtimes$	before the mailing date of a first office action on the merits; or				
			before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.				

The Commissioner is hereby authorized to charge payment of any fees required for the above-identified application or credit any overpayment to Deposit Account No. 05-0460.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application.

Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

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It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

By:

Dated: 8/11/24

EDELL, SHAPIRO & FINNAN, LLC CUSTOMER NO. 27896 1901 Research Boulevard, Suite 400 Rockville, MD 20850 (301) 424-3640 Respectfully submitted by

EDELL, SHAP)RO& FINNAN, LLC

Patrick J. Finnan Reg. No. 39,189 2

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Attorney Docket Number

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	Application Number	09/822,217
INFORMATION DISCLOSURE	Filing Date	April 2, 2001
STATEMENT BY APPLICANT	First Named Inventor	Günther Klenner
	Group Art Unit	2631
(use as many sheets as necessary)	Examiner Name	Unknown

2206.0021C

U.S. PATENT DOCUMENTS							
Examiner Initials*		U.S. Patent Do	cument		Data of Dalling in a College		
		Cite No.1	Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	
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FOREIGN PATENT DOCUMENTS						
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	Cite No.1	No. <sup>1</sup> Office <sup>3</sup>	No.1 Office <sup>3</sup> Number <sup>4</sup>	Cite No. 1 Office 3 Number 4 Kind Code 5 (if known)	Cite No. 1  Office 3 Number 4 Kind Code 5 (if known)  Name of Patentee or Applicant of Cited Document	Cite No. 1 Foreign Patent Document  Office Number Kind Code (if known)  Name of Patentee or Applicant of Cited Document MM-DD-YYYY

Examiner	Date	
Signature	Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number.

<sup>&</sup>lt;sup>2</sup> See attached Kinds of U.S. Patent Documents.

<sup>&</sup>lt;sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

<sup>&</sup>lt;sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08A (08-00)

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Substitute for form 1449B/PTO				Application Number	09/822,217	
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	(use as ma	iny sheets a	s necessary)	Examiner Name	Unknown	
Sheet	2	of	2	Attorney Docket Number	2206.0021C	

OTHER DOCUMENTS – NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>			
;	:	OSBORNE, W.P.; "A Method for Evaluating MPSK Performance Using a (M/2) PSK Signal Set"; IEEE, 1995; pages 617-621.				
		WOLAVER, D.H.; "Measure Error Rates Quickly and Accurately"; Electronic Design, Vol. 43, No. 11, May 30, 1995; 7 pages.				

Examiner	Date	
Signature	 Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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